

KAREN L. LOEFFLER
United States Attorney

RICHARD POMEROY
Assistant U.S. Attorney
Federal Building & U.S. Courthouse
222 West Seventh Avenue, #9
Anchorage, Alaska 99513-7567
Phone: (907) 271-5071
Fax: (907) 271-2344
richard.pomeroy@usdoj.gov
AK# 8906031

Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA)	Case No. 3:08-cv-00200-JWS
ex rel. Jane Dale,)	
)	
Plaintiffs,)	UNDER SEAL
)	
vs.)	
)	
CITY OF PALMER, ALASKA,)	
)	
Defendant.)	
_____)	

JOINT STIPULATION OF DISMISSAL

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), and in accordance with the terms and conditions of the May 13, 2011 Settlement Agreement among

the United States, the City of Palmer, AK (Palmer), and Relator Jane Dale (the Settlement Agreement), the United States and Relator hereby stipulate, through their undersigned counsel, to the entry of an order (1) dismissing with prejudice all civil monetary claims asserted on behalf of the United States against Palmer concerning the Covered Conduct as defined in Preamble Paragraph G of the Settlement Agreement; and (2) dismissing with prejudice all claims asserted on behalf of Relator for attorneys' fees, expenses, and costs under 31 U.S.C. § 3730(d).

Relator, on behalf of herself, her heirs, successors, attorneys, agents, and assigns, stipulates that the Settlement Amount set forth in the Settlement Agreement and the terms and conditions described therein are fair, adequate, and reasonable under all the circumstances, that she will not challenge the settlement pursuant to 31 U.S.C. § 3730(c)(2)(B), and that she expressly waives the opportunity for a hearing on any objection to the settlement pursuant to 31 U.S.C. § 3730(c)(2)(B).

The United States and Relator respectfully request that the Court enter an order in the form of the attached, proposed order.

RESPECTFULLY SUBMITTED this 23rd of May 2011 in Anchorage,
Alaska.

TONY WEST
Assistant Attorney General
Civil Division

KAREN L. LOEFFLER
United States Attorney

s/ Richard Pomeroy
Assistant U. S. Attorney
Attorney for the United States

Joyce R. Branda
Jamie A. Yavelberg
Evan C. Zoldan
Attorneys, Civil Division
P.O. Box 261
Washington, D.C. 20044

Attorneys for the United States

Phil Benson
Warren Benson Law Group
310 K Street
Anchorage, AK 99501

Counsel for Relator

US ex rel Dale v. City of Palmer, Alaska
3:08-cv-00200–JWS